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Attorney Docket No. 23239-301C

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Ellington et al.

SERIAL NUMBER: 09/883,119

EXAMINER: Janet Epps-Ford

FILING DATE: June 14, 2001

ART UNIT: 1635

FOR: REGULATABLE, CATALYTICALLY ACTIVE NUCLEIC ACIDS

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TRANSMITTAL LETTER

Transmitted herewith for filing in the present application are the following documents:

1. Copy of Notice to Comply (1 page);
2. Supplemental Preliminary Amendment and Response to Notice to Comply (21 pages);
3. Computer-readable copy of the Sequence Listing (1 diskette);
4. Paper copy of the Sequence Listing (18 pages);
5. Statement in Support of Computer Readable Form Submission Under 37 C.F.R. § 1.821(f) (1 page); and
6. Return Postcard.

The Commissioner is authorized to credit any overpayment or charge any deficiencies to Deposit Account No. 50-0311 (Reference No.23239-301C). A duplicate copy of this transmittal letter is enclosed.

Respectfully submitted,

Dated: March 11, 2003



30623

PATENT TRADEMARK OFFICE

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Application No.

Applicant(s)

09/883,119

Ellington et al.

Examiner

Art Unit

Janet Epps-Ford

1635

Notice to Comply**RECEIVED**

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**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE
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Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☒ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☒ 7. Other Sequences set forth in the Figures are not included in Sequence Listing submitted 7-22-02.

Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

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